

11-8-02  
81788.0276  
Express Mail Label No. EL715817015US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification  
of this Application:

Class       Subclass

Prior Application  
Examiner: Zahn, Jeffrey, N.  
Art Unit: 2828

**CONTINUATION APPLICATION TRANSMITTAL**

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

JC973 U.S. PTO  
10/07/6698  
02/13/02

Dear Sir:

This is a request for filing a continuation application pursuant to 37 C.F.R. § 1.53(b), of pending prior application:

Serial No. 09/328,149 filed June 8, 1999, by Junichi Kinoshita (inventor) currently of record in prior application) for SURFACE EMITTING LASER AND SEMICONDUCTOR LIGHT EMITTING DEVICE.

1.  Enclosed is a copy of the prior application, including the oath or declaration as originally filed, or a replacement specification which does not add new matter.
2.  The filing fee is calculated below:

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	20	-20	0	LG=\$18 SM=\$9	\$	\$ 0	
B	INDEPENDENT CLAIMS FEE*	3	-3	0	LG=\$84 SM=\$42	\$	\$ 0	
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)							\$ 0
D	MULTIPLE-DEPENDENT CLAIMS FEE							LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$140
E	BASIC FEE							LARGE ENTITY FEE = \$740 SMALL ENTITY FEE = \$370
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)							\$ 740

\*LIST INDEPENDENT CLAIMS 1, 17 and 20

3.  The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-1314. A copy of this sheet is enclosed.
4.  A check in the amount of \$ 740 is enclosed.

5.  Cancel in this application original claim(s) \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

6.  Amend the specification by inserting before the first line the sentence:

*At*  
This is a continuation of application Serial No. 09/328,149 filed June 8, 1999, which application is hereby incorporated by reference in its entirety.

7a.  New formal drawings are enclosed.

7b.  Priority of application Serial No(s).:

Japanese application Serial No. 160680/1998 filed June 9, 1998 is claimed under 35 U.S.C. § 119.

7c.  The certified copy of the priority application was filed in prior application Serial No. 09/328,149, filed June 8, 1999.

8.  The prior application is assigned of record to: Kabushiki Kaisha Toshiba.

9.  The power of attorney in the prior application is as listed on the attached file in the parent application.

a.  The power appears in the original papers in the prior application.

b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed

c.  Address all future communications to:

Michael L. Crapenhoft  
HOGAN & HARTSON L.L.P.  
Biltmore Tower  
500 South Grand Avenue, Suite 1900  
Los Angeles, CA 90071  
Telephone: (213) 337-6700  
Facsimile: (213) 337-6701

Customer Number



26021

PATENT TRADEMARK OFFICE

d.  A new Associate Power of Attorney is enclosed.

10.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

11.  Applicant claims small entity status. See 37 CFR 1.27.

Applicant no longer claims small entity status.

12.  An Information Disclosure Statement listing 7 references is enclosed.

Date: February 13, 2002

Michael Crapenhoft  
Michael L. Crapenhoft  
Registration No. 37,115

HOGAN & HARTSON L.L.P.  
500 South Grand Avenue, Suite 1900  
Los Angeles, California 90071  
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02/13/02  
JC903 U.S. PTO

02-19-02

A

PATENT  
Attorney Docket No: 81788.0216

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/07/02  
JC973 U.S. PTO  
02/13/02

In re application of:

KINOSHITA, Junichi

Serial No: Not Assigned (Parent: 09/328,149)

Filed: February 13, 2002

For: SURFACE EMITTING LASER AND SEMICONDUCTOR  
LIGHT EMITTING DEVICE

Art Unit: Not Assigned

Examiner: Not Assigned

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EL715817015US

Date of Deposit: February 13, 2002

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I hereby certify that

- two copies of a letter of transmittal
- check in amount of \$ 740.00 as filing fee
- patent application ( 20 page(s) of specification; 20 claim(s); 1 page(s) of abstract  
7 sheet(s) of formal drawings
- executed Declaration and Power of Attorney (copy)
- assignment of the invention to \_\_\_\_\_
- certified copy of \_\_\_\_\_ patent application No. \_\_\_\_\_ which was filed \_\_\_\_\_ from which priority is claimed in the subject case pursuant to 35 U.S.C. § 119
- Preliminary Amendment
- Information Disclosure Statement with 7 references
- Associate Power of Attorney is enclosed
- return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231.

Date: February 13, 2002

Hogan & Hartson, LLP  
500 South Grand Avenue, Suite 1900  
Los Angeles, California 90071  
Telephone: 213-337-6700  
Facsimile: 213-337-6701

Emily Cruz

Name of person mailing papers

Signature